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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF CO Substitute for form 1449A/PTO 10/771,284 Application Number JUN 0 8 2005 02/05/2004 Filing Date INFORMATION DISCLOSURE **First Named Inventor Richard Assak** STATEMENT BY APPLICANT **Art Unit** 3731 (use as many sheets as necessary) 3238 Confirmation No. **Examiner Name Eduardo Robert** 64118.000046 Attorney Docket Number of Sheet **U.S. PATENT DOCUMENTS** Pages, Columns, Lines, **DOCUMENT NUMBER** Where Relevant Passages or **Publication Date** Name of Patentee or Relevant Figures Appear No. MM-DD-YYYY Applicant of Cited Document Number - Kind Code (if known) FOREIGN PATENT DOCUMENTS FOREIGN PATENT DOCUMENT TRANSLATION Pages, Columns, Lines, Number - Kind Code **Publication Date** Where Relevant Passages Name of Patentee or Code: (if known) Initial No. MM-DD-YYYY Applicant of Cited Document or Relevant Figures Appear WO 94/17744 08-18-1994 Lowery et al. OTHER DOCUMENTS - NON-PATENT LITERATURE DOCUMENTS Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the Cite item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published TRANSLATION Denis J. DiAngelo et al., "Cervical Plating Systems Reverse Load Transfer Through Multi-Level Strut-Grafts," North American Congress on Biomechanics, University of Waterloo, Waterloo. Ontario, Canada, 3 pages (August 14-18, 1998). 510(k) Summary of Safety and Effectiveness in Accordance with SMDA of 1990 Aesculap ABC Cervical Plating System, U.S. Food and Drug Administration, 6 pages, Submitted December 15, 1997. Peak Fixation System, Polyaxial Cervical Plate, 20 pages, © 1998 DePuy Motech, Inc. Kevin T. Foley et al., Abstract of "Anterior Cervical Plating Reverses Load Transfer Through Multi-Level Strut-Grafts," Congress of Neurological Surgeons, Seattle Washington 1998. Kevin T. Foley et al., Abstract of "Anterior Cervical Plating Does Not Prevent Strut Graft Displacement in Multilevel Cervical Corpectomy," Congress of Neurological Surgeons, AANS 1997 Denver. Christopher G. Paramore et al., "Radiographic and Clinical Follow-Up Review of Caspar Plates in 49 Patients," 84 J. Neurosurg, 957-961 (1996). **EXAMINER SIGNATURE** DATE CONSIDERED \*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Substitute for form 1449A/PTO Application Number 10/771,284 Filing Date 02/05/04 INFORMATION DISCLOSURE First Named Inventor Richard ASSAKER STATISMENT BY APPLICANT **Art Unit** Unknown (use as many sheets as necessary) Confirmation No. 3238 JAN 0 6 2005 **Examiner Name** Unknown 1 of Attorney Docket Number 64118.000046 **U.S. PATENT DOCUMENTS** Pages, Columns, Lines, DOCUMENT NUMBER CRe **Publication Date** Name of Patentee or Where Relevant Passages or Number - Kind Code (if known) MM-DD-YYYY Applicant of Cited Document Relevant Figures Appear 2002/0120273 08-29-2002 Needham et al. 2 2004/0158246 08-12-2004 Assaker et al. 3 5,486,176 01-23-1996 Hildebrand et al. 4 6,306,136 10-23-2001 Baccelli **FOREIGN PATENT DOCUMENTS** FOREIGN PATENT DOCUMENT Country Number - Kind Code Pages, Columns, Lines, TRANSI ATION **Publication Date** Code: (if known) Name of Patentee or Where Relevant Passages MM-DD-YYYY **Applicant of Cited Document** or Relevant Figures Appear YES NO 5 wo 95/25474 09-28-1995 Biedermann et al. 6 WO 98/52482 11-26-1998 Schlapfer 7 WO 99/56653 11-11-1999 Assaker et al. 8 WO 01/26566 04-19-2001 Needham et al. 9 FR 2,740,321 10-27-1995 **Fuentes** X 10 **FR** 1,505,513 12-15-1967 **Benoist** X <u>OTHER DOCUMENTS - NON-PATENT LITERATURE DOCUMENTS</u> Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published TRANSLATION 11 Lowery, L. Gary, "Orion Anterior Cervical Plate System," 1995, pp. 1-25. W **EXAMINER SIGNATURE** DATE CONSIDERED

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